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The last Office Action has been carefully considered.

It is noted that the Examiner indicated that the present application contained two different inventions, namely a motor structure classified in class 310, subclass 90, and a method of making a motor class classified in claims 29, subclass 596.

With the present Amendment applicant amended the claims and submitted a new set of claims 14-18.

In connection with the Examiner's restriction requirement, applicant elected for further prosecution the invention drawn to a motor structure.

It is respectfully submitted that claims 1, 3, 12-13 are readable on the elected invention.

At the same time, the Examiner's restriction requirement is respectfully traversed.

The Examiner indicated that the inventions are distinct because the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making the material different product, or the product which is claimed could be made by another material different apparatus. In the Examiner's opinion the method does not require the structure claimed in the apparatus which can be made by another materially different apparatus.

It is respectfully submitted that claims 8 and 9 do not claim any apparatus for producing an electrical machine, but instead a method in accordance with which the inventive electrical machine can be made.

It is further respectfully submitted that the present application is a U.S. national phase application which is based on the PCT application and therefore has to follow the PCT regulations, in particular Chapter 13. In accordance with Chapter 13 a unity of the invention is maintained when both an inventive product and an inventive method have common features, which is definitely the case for claim 1 and claim 8 in the present application.

Therefore, it is respectfully submitted to maintain in this application also claims 8-11 which are related to the method.

At the same time, the Examiner submitted a set of claims 14-18 which include claim 14, the broadest claim on file.

As can be seen from the language of claim 14, it defines a method with the steps which deal exclusively with the parts of the electrical machine defined in claim 1. Definitely, the electrical machine can be made exclusively by the method of claim 14, and the method of claim 14 can be used exclusively for producing the electrical machine of claim 1.

It is therefore respectfully requested to retain claims 14-18 in this application and continue the prosecution with the claims as well.

Consideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be

helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

A handwritten signature in black ink that reads "Michael J. Striker". The signature is written in a cursive, slightly slanted style.

Michael J. Striker  
Attorney for Applicants  
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